



# State of Utah

DEPARTMENT OF COMMERCE  
Committee of Consumer Services

**Minutes of the Meeting of the Committee of Consumer Services held at the  
Heber M Wells Building, Room #210, 160 East 300 South, Salt Lake City, Utah, on  
Thursday, October 2, 2008**

**Members of the Committee in Attendance:**

Dee Jay Hammon (by phone)	Kelly Casaday (via teleconference)
Betsy Wolf	Robert McMullin
Franz Amussen	

**Staff in Attendance:**

Michele Beck	Dan Gimble
Eric Orton	Cheryl Murray
Ronnie Drake	Paul Proctor, attorney

**Members of the Public in Attendance:**

None

**1 Welcome and Business**

Since Dee Jay Hammon was participating by phone, Franz Amussen chaired the meeting. He called the meeting to order at 9:42 and welcomed all those in attendance. Andrew Riggle was excused.

**2 Minutes**

The Committee discussed changes and corrections to the draft minutes. Robert McMullin moved to approve the July minutes, as amended. Kelly Casaday seconded the motion and it passed unanimously. Robert McMullin then moved to approve the September minutes, as amended. Betsy Wolf seconded the motion and it passed unanimously.

**3. Public Comment**

No public comment was offered.

**4. Case Updates:**

Michele Beck updated the Committee on the Rocky Mountain Power rate case. The Committee signed a stipulation for settlement with the other parties involved in the cost of service portion of the case. The settlement was consistent with the direction provided in the last Committee meeting and resulted in an equal spread of the rate

increase across all customer classes. The Commission will hold a hearing on the settlement next week. All parties have either signed or have indicated that they will not oppose. No major milestones have occurred in the Questar rate case to report.

Michele Beck also updated the Committee on the progress in the transponder investigation. Four parties filed comments in reply to the Division's report: the Committee (consistent with the direction and discussion at the last meeting), Questar (whose position was that six months' backbilling was acceptable but that there is no legal basis upon which to force the Company to write off some of the costs), Salt Lake Community Action Program/Crossroads Urban League (whose position was that six months' backbilling was acceptable and none of the difference between the backbilled amounts and total costs should go into rates – consistent with the Committee's position) and Utah Ratepayers' Association (who indicated dissatisfaction with the DPU report but did not clearly articulate a specific position). The next step in the process will be to formulate a position for the reply to this set of comments.

5. Discussion of strategy in litigation pending before the Utah Public Service Commission: Docket 07-157-11 (Investigation into the Questar transponder backbilling), and Docket 08-035-38 (Rocky Mountain Power rate case)

5a. Kelly Casaday made a motion to go into closed session pursuant to Utah Code Section 52-4-205 (1)(c). Robert McMullin seconded the motion. It passed unanimously.

5b. Robert McMullin made a motion to go back into Opened Session, Betsy Wolf seconded the motion and it passed unanimously. The Committee was in closed session for approximately 23 minutes.

Robert McMullin made the following motion, and Kelly Casaday seconded the motion:

The Committee supports settlement of the case investigating Questar's backbilling related to transponder errors, provided that the key outcomes important to the consumers we represent are achieved. The Committee authorizes work toward this end consistent with the guidance given to the Committee's counsel and director.

The motion passed unanimously.

5. Other Business

The Committee scheduled an informal open house to wish farewell to outgoing chair Dee Jay Hammon and introduce new Committee member(s) for October 21 at 12:30. The next formal meeting will be November 13<sup>th</sup> at 9:30 a.m.

Robert McMullin made a motion to adjourn and Kelly Casaday seconded it; the meeting adjourned at approximately 10:45.